



# **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 12, 2004

Date of Deposit

James L. Katz, Reg. No. 42,711

Name of Applicant, Assignee or  
Registered Representative

Signature

February 12, 2004

Date of Signature

BHGL Case No. 6270/131

## **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Gilbert et al.

Serial No. 10/712,960

Filing Date: November 13, 2003

For INTELLIGENT ELECTRONIC  
DEVICE HAVING NETWORK  
ACCESS

Examiner: unassigned

Group Art Unit No. unassigned

## **NOTICE OF COPYING OF CLAIMS UNDER 37 C.F.R. § 1.604 SUPPLEMENTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.604, Applicants hereby notifies the Examiner that, in the above captioned patent application filed November 13, 2003 and Preliminary Amendment filed herewith, Applicants have substantially copied claims from U.S. Patent Application Serial No. 10/121,262, published as U.S. Patent Publication No. 2002/0169570 A1 on

November 14, 2002 and as amended on November 17, 2003, for the purpose of interference. U.S. Patent Application Serial No. 10/121,262 is currently pending before Examiner Felix E. Suarez in Group Art Unit 2857.

The Applicants in U.S. Patent Application Serial No. 10/121,262 filed an Amendment to the published claims on November 17, 2003. The accompanying Preliminary Amendment to the above captioned patent application copies these amendments as discussed below.

Pursuant to 37 C.F.R. § 1.604(a)(1), Applicants herein suggest the following counts:

**Count 1**

50. An electric power meter, comprising:
- a digital sampler for digitally sampling voltage and current;
  - a memory for storing said digitally sampled voltage and current;
  - at least one processor for performing power calculations on said digitally sampled voltage and current, and converting said calculations and said digitally sampled voltage and current into at least one network protocol, said at least one processor being configured to simultaneously execute a plurality of different tasks related to said stored voltage and current in response to a plurality of concurrent requests related to results of said different tasks and submitted by multiple users; and
  - a network interface for interfacing with an external network;
- wherein said network protocol is one of e-mail, File Transfer Protocol (FTP), Hypertext Transfer Protocol (HTTP) or Dynamic Host Configuration Protocol (DHCP).

Pursuant to 37 C.F.R. § 1.604(a)(2), this claim substantially corresponds to claim 10 of U.S. Patent Application Serial No. 10/121,262, rewritten in independent form and as amended by the 10/121,262 Applicants' November 17, 2003 Amendment. Claim 50 differs from claim 10 of U.S. Patent Application Serial No. 10/121,262 by deleting three members of the Markush group, i.e. Modbus, Transmission Control Protocol (TCP) and RS-485, and the addition of one member, i.e. Hypertext Transfer Protocol (HTTP).

## **Count 2**

51. An electric power meter, comprising:
- a digital sampler for digitally sampling voltage and current;
  - a memory for storing said digitally sampled voltage and current;
  - at least one processor for performing power calculations on said digitally sampled voltage and current, and converting said calculations and said digitally sampled voltage and current into at least one network protocol, said at least one processor being configured to simultaneously execute a plurality of different tasks related to said stored voltage and current in response to a plurality of concurrent requests related to results of said different tasks and submitted by multiple users; and
  - a network interface for interfacing with an external network;
- wherein a web server provides data to the network interface in Hypertext Markup Language (HTML) or Extensible Markup Language (XML) format.

Pursuant to 37 C.F.R. § 1.604(a)(2), this claim exactly corresponds to claim 11 of U.S. Patent Application Serial No. 10/121,262, rewritten in independent form and as amended by the 10/121,262 Applicants' November 17, 2003 Amendment.

## **Count 3**

52. An electric power meter having a digital sampler for sampling a voltage and a current at a sampling point, comprising:
- a processor coupled to said digital sampler and configured to execute a plurality of different tasks related to said sampled voltage and current and running independently from one another in response to a plurality of concurrent requests submitted by multiple users;
  - a memory coupled to said processor for storing network protocol conversion algorithms; and
  - a network interface configured to simultaneously provide said multiple users each with a result of a respective one of said plurality of different tasks;

wherein said processor performs at least one power calculation and converts at least one of the sampled voltage, the sampled current and the power calculation to at least one network protocol using one of said network protocol conversion algorithms, said at least one network protocol being provided through said network interface;

wherein said network protocol is one of e-mail, File Transfer Protocol (FTP), Hypertext Transfer Protocol (HTTP) or Dynamic Host Configuration Protocol (DHCP).

Pursuant to 37 C.F.R. § 1.604(a)(2), this claim substantially corresponds to claim 4 of U.S. Patent Application Serial No. 10/121,262, rewritten in independent form and as amended by the 10/121,262 Applicants' November 17, 2003 Amendment. Claim 52 differs from claim 4 of U.S. Patent Application Serial No. 10/121,262 by deleting three members of the Markush group, i.e. Modbus, Transmission Control Protocol (TCP) and RS-485, and the addition of one member, i.e. Hypertext Transfer Protocol (HTTP).

#### **Count 4**

53. An electric power meter having a digital sampler for sampling a voltage and a current at a sampling point, comprising:

a processor coupled to said digital sampler and configured to execute a plurality of different tasks related to said sampled voltage and current and running independently from one another in response to a plurality of concurrent requests submitted by multiple users;

a memory coupled to said processor for storing network protocol conversion algorithms; and

a network interface configured to simultaneously provide said multiple users each with a result of a respective one of said plurality of different tasks;

wherein said processor performs at least one power calculation and converts at least one of the sampled voltage, the sampled current and the power calculation to at least one network protocol using one of said network protocol conversion algorithms, said at least one network protocol being

provided through said network interface;

wherein a web server provides data to the network interface in  
Hypertext Markup Language (HTML) or Extensible Markup Language (XML)  
format.

Pursuant to 37 C.F.R. § 1.604(a)(2), this claim exactly corresponds to claim 5 of U.S. Patent Application Serial No. 10/121,262, rewritten in independent form and as amended by the 10/121,262 Applicants' November 17, 2003 Amendment.

Further, pursuant to 37 C.F.R. § 1.604(a)(3), an interference should be declared because the claims satisfy the test of two-way unpatentability in accordance with 37 C.F.R. § 1.601(n), i.e. the above claims 50 and 51 of the above captioned application would be unpatentable over corresponding claims 10 and 11, as amended, of U.S. Patent Application Serial No. 10/121,262 if the inventors thereof are determined to be the prior inventor and claims 10 and 11, as amended, of U.S. Patent Application Serial No. 10/121,262 would be unpatentable over the above claims 50 and 51 of the above captioned application otherwise; and further the above claims 52 and 53 of the above captioned application would be unpatentable over corresponding claims 4 and 5, as amended, of U.S. Patent Application Serial No. 10/121,262 if the inventors thereof are determined to be the prior inventor and claims 4 and 5, as amended, of U.S. Patent Application Serial No. 10/121,262 would be unpatentable over the above claims 52 and 53 of the above captioned application otherwise.

Respectfully submitted,



James L. Katz  
Registration No. 42,711  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200